REMARKS

In response to the Office Action mailed December 21, 2007, Applicant respectfully requests reconsideration. To further the prosecution of this application, each of the rejections set forth in the Office Action has been carefully considered and is addressed below. The application as presented is believed to be in condition for allowance.

The Office Action rejects claims 1-12 under 35 U.S.C. §102(e) as purportedly being anticipated by Brinkley (7,012,211), and rejects claims 1-9, 11, and 12 under 35 U.S.C. §102(e) as purportedly being anticipated Hanson. Applicant respectfully disagrees with each of these rejections.

Claim 1 recites a method for sorting a plurality of items comprising, *inter alia*, an act of sorting the items in each of the at least two initial sorting regions into at least one intermediary sorted set, in which the items are in a sorted order, by moving at least some of the items in at least one of the initial sorting regions between the at least one initial sorting region and at least two of the additional sorting regions, such that two items from different initial sorting regions are sorted into the same intermediary sorted set **and by moving at least some of the items between positions in the at least two additional sorting regions**.

Claim 9 recites an apparatus for sorting a plurality of postal bins comprising, *inter alia*, a second mechanism **for physically moving at least one postal bin between positions within each sorting region**.

As discussed below in greater detail, claims 1 and 9 patentably distinguish over both Brinkley and Hanson, as the sorting systems described in these references do not have the capability to move items between positions in the additional sorting regions.

1. Rejections Under Brinkley

Brinkley discloses a sorting and sequencing system 10 that includes a transport mechanism 12, which includes an endless conveying path 14 and a plurality of sorter carriages 16 movable along endless conveying path 14 (col. 6, lines 38-44). One or more inducts 18 are positioned along the conveying path 14 to load articles onto sorter carriages 16. A plurality of collating devices 20 (also referred to as cartridges, collators, magazines, or article receivers) are positioned along the

endless conveying path 14 and are operable to selectively receive articles discharged from the carriages 16 in a desired order or sequence (col. 6, lines 44-56). Each collating device 20 includes a plurality of collator bins 34 (also referred to as slots or shelves) that is adapted to receive one or more articles. Collating devices 20 are arranged perpendicular to conveying path 14 and are able to move vertically to properly align one of the collator bins 34 with the belt (Figure 1; col. 8, lines 22-28; col. 9, lines 20-24). Nowhere does Brinkley does disclose or suggest that once an article is loaded into a collator bin 34 in a collating device that it may be moved to another bin in the same collating device.

As discussed above, Brinkley fails to disclose the limitation of claim 1 that requires sorting the items in each of the at least two initial sorting regions into at least one intermediary sorted set, in which the items are in a sorted order, by moving at least some of the items in at least one of the initial sorting regions between the at least one initial sorting region and at least two of the additional sorting regions, such that two items from different initial sorting regions are sorted into the same intermediary sorted set **and by moving at least some of the items between positions in the at least two additional sorting regions.**

The Office Action appears to assert that the at least two additional sorting regions in the sorting system of Brinkley are conveyor belt 14, carriages 16 that are located on and moved by the conveyor belt, and collating device 20. However, there is no capability in Brinkley to move articles in between bins in a collating device. That is, in the system of Brinkley, once an article is placed in one of the bins 34 of a collating device 20, it is not moved until the collating device is emptied. An article loaded into one of the bins 34 is never moved to another bin 34 in the same collating device. Thus, Brinkley does not disclose or suggest moving at least some of the items between positions in the at least two additional sorting regions.

As such claim 1 patentably distinguishes over Brinkley. Accordingly, it is respectfully requested that the rejection of claim 1 be withdrawn. Claims 2-8 depend from claim 1 and are patentable for at least the same reasons. Accordingly, it is respectfully requested that the rejection of these claims be withdrawn.

Claim 9 recites an apparatus for sorting a plurality of postal bins comprising, *inter alia*, a second mechanism **for physically moving at least one postal bin between positions within each sorting region**.

As should be clear from the discussion above, Brinkley discloses no such mechanism as, in the sorting system of Brinkley, there is no mechanism to move articles between bins 34 in a collating device 20.

Thus, claim 9 patentably distinguishes over Brinkley. Accordingly, it is respectfully requested that the rejection of claim 9 be withdrawn. Claims 10-12 depend from claim 9 and are patentable for at least the same reasons. Accordingly, it is respectfully requested that the rejection of these claims be withdrawn.

1. Rejections Under Hanson

Hanson discloses a sorting system 100, shown in Figure 1, that includes a feeder 102 positioned at the beginning of the process that transports flats from a first end 102a to a second remote end 102b. A feed track 104 is positions downstream from the feeder, and a flat thickness device 106 and a scanning device 108 are provided adjacent to the feed track 104. The flat thickness device 106 and the scanning device 108 communicate with a sorting computer 110 and provide the thickness and address information of flats to the sort computer 110.

At a remote end 104a of the feed track 104 is a cell movement mechanism 112 that includes a first carriage track 112a and a second adjacent carriage track 112b. A plurality of holders 114 extend down from either the first carriage track or the second carriage track, depending on the particular stage of the process. The holders capture flats as they are conveyed from the feed track 104 and can move in between the first carriage track and the second carriage track. The sort computer 110 tracks each holder in addition to the flats loaded therein, and assigns codes to the holders and positions of the holders. This enables the sort computer to follow each flat throughout the system. A packager 116 is placed at predetermined position relative to the carriage track and packages flats as they are unloaded from the holders and transports them to containers 118.

As discussed above, Hanson fails to disclose the limitation of claim 1 that requires sorting the items in each of the at least two initial sorting regions into at least one intermediary sorted set, in

which the items are in a sorted order, by moving at least some of the items in at least one of the initial sorting regions between the at least one initial sorting region and at least two of the additional sorting regions, such that two items from different initial sorting regions are sorted into the same intermediary sorted set **and by moving at least some of the items between positions in the at least two additional sorting regions.**

The Office Action appears to assert that the packager 116 in the system of Hanson is an additional sorting region. However, Hanson does not disclose or suggest that flats are moved between positions in the packager. Rather, the packager packages together flats from the holders 114 and moves them to containers 118. There is no disclosure or suggestion in Hanson that once a flat is in the packager that it is moved between positions in the packager.

As such claim 1 patentably distinguishes over Hanson. Accordingly, it is respectfully requested that the rejection of claim 1 be withdrawn. Claims 2-8 depend from claim 1 and are patentable for at least the same reasons. Accordingly, it is respectfully requested that the rejection of these claims be withdrawn.

Claim 9 recites an apparatus for sorting a plurality of postal bins comprising, *inter alia*, a second mechanism **for physically moving at least one postal bin between positions within each sorting region**.

As should be clear from the discussion above, Hanson discloses no such mechanism as, in the sorting system of Hanson, there is no mechanism to move flats between positions in the packager.

Thus, claim 9 patentably distinguishes over Hanson. Accordingly, it is respectfully requested that the rejection of claim 9 be withdrawn. Claims 10-12 depend from claim 9 and are patentable for at least the same reasons. Accordingly, it is respectfully requested that the rejection of these claims be withdrawn.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

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Respectfully submitted,

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